

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Richard Lee Oprenchak, Jr.,

Civil No. 11-CV-425 (PJS/TNL)

Plaintiff,

v.

ORDER

American Family Mutual Insurance
Company, and its affiliates and
subsidiaries,

James R. Andersen, Branch Manager,
individual

Don Johnson, State Operations Manager,
individual,

and

Jane Spindler,
AVP East Region, individual,

Defendants.

Richard Lee Oprenchak, Jr., 10215 32nd Avenue North, Plymouth, MN 55441.

David P. Jendrzejek, Marcy R. Frost, and Taylor D. Tarvestad-Sztainer, Moss & Barnett, PA, 90
S 7th Street, Suite 4800, Minneapolis, MN 55402.

Based upon the Report and Recommendation by United States Magistrate Judge Tony N.
Leung dated March 26, 2012 (Docket No.30), along with all the files and records, and no
objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that
Defendants' Amended Motion to Dismiss the Complaint (Docket No. 12; see also

Docket No. 8) is **GRANTED IN PART** and **DENIED IN PART**; and this matter is
DISMISSED WITHOUT PREJUDICE.

Date: 04/13/12

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge